

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

**THIRD AMENDED TRIAL NOTICE AND
FINAL PRETRIAL ORDER¹**

USA v Hamdi Hussein Omar (12) (22-cr-223 NEB/DTS) is hereby scheduled for trial before Judge Nancy E. Brasel. Trial and Jury selection will begin **Monday, April 21, 2025, at 9:00 a.m. in Courtroom 13W located in the Diana E. Murphy Federal Courthouse, 300 South Fourth Street, Minneapolis, Minnesota.**

PRETRIAL CONFERENCE

A pretrial conference will be conducted by Judge Brasel **in Courtroom 13W located in the United States Courthouse, Diana E. Murphy Federal Courthouse, 300 South Fourth Street, Minneapolis, Minnesota, on Monday, April 14, 2025, at 3:00 p.m.** All attorneys who will try the case must attend the hearing, as well as the defendants.

INSTRUCTIONS FOR ALL CASES

1. Submitting Documents.

All documents must be filed electronically. Trial briefs (in MS Word), proposed voir dire (in MS Word), proposed jury instructions (in MS Word), and proposed verdict forms (in MS Word) shall also be e-mailed to chambers e-mail address at: Brasel_chambers@mnd.uscourts.gov.

2. Disclosures.

The parties shall follow the Court's orders regarding disclosure requirements in Magistrates Judge David T. Schultz's order filed July 29, 2023 at ECF No. 318.

¹ For case 22-cr-233, this Order supersedes the Order Setting Trial found at Docket 360, dated November 7, 2024.

3. Trial Briefs.

- a. Trial briefs shall be submitted by **Monday, April 7, 2025.**
- b. The Government is required to file a trial brief. A trial brief by the defense is optional. Parties may respond to the trial briefs with objections by **Wednesday, April 9, 2025.**

4. Exhibits.

- a. By **Monday, March 31, 2025**, the parties must exchange lists of the exhibits that they intend to offer at trial and make those exhibits available to the other parties for examination and copying.
- b. By **Monday, April 7, 2025**, each party must file its exhibit list with the Court.
- c. Only exhibits that are identified on the exhibit list may be offered at trial, unless the omission is excused for good cause.
- d. Prior to deliberating, the parties shall provide the Court with final exhibit lists with all the admitted exhibits only. The list will go back to the jury deliberation room to assist in reviewing the exhibits. The final exhibit list may not include contested descriptions of exhibits.
- e. All documentary evidence must be converted electronically and displayed from a laptop in the courtroom. Attorneys will place all the admitted on a thumb drive for jury deliberations and should be done prior to closing arguments. A court laptop will be provided to the jurors so they can view all the electronic evidence. There will be a few exceptions where physical evidence is the only option. Paper exhibits are strongly discouraged during trial.
- f. If any of the motions in limine refer to a trial exhibit, the parties must provide the Court with a copy of that exhibit at the time of filing the motion, to assist the Court with its review of the motion. The exhibit

should be emailed to the chambers email at:

Brasel_Chambers@mnd.uscourts.gov.

- g. Within 7 days after the trial, the parties must submit to the Court a disk or thumb drive containing copies of all exhibits that were admitted at trial.

5. **Witness Lists.**

- a. By **Monday, March 31, 2025**, the parties must exchange lists of the witnesses whom the parties intend to call at trial, as well as a brief description of the substance of the expected testimony of each witness. No person who is not identified on a party's witness list may testify at trial, unless the omission is excused for good cause.²
- b. By **Monday, April 7, 2025**, each party must file its witness list (restricted) with the Court.

6. **Motions in Limine.**

All motions in limine must be filed by **Monday, April 7, 2025** and responses to all such motions must be filed by **Wednesday, April 9, 2025**. The parties must respond to the motions in limine.

² The parties shall follow Judge David T. Schultz's scheduling order regarding the disclosure of expert witnesses at ECF No. 318.

7. **Proposed Voir Dire.**

During voir dire, Judge Brasel will handle all the questioning of prospective jurors, however, she will take input from the attorneys. By **Monday, April 7, 2025**, the parties must file any questions they wish the Judge to ask prospective jurors.

8. **Proposed Jury Instructions.**

- a. No later than **Monday, March 31, 2025**, the parties must exchange proposed jury instructions. The parties must then meet and confer and make every effort to resolve disagreements over those proposed instructions.
- b. Parties shall submit a set of jointly proposed jury instructions by **Monday, April 7, 2025**. A Word version of the proposed instructions must be emailed to Judge Brasel's chambers.
 - i. Each proposed instruction must be numbered, appear on a separate page, and identify supporting legal authority.
 - ii. Any citation to a set of model jury instructions or a jury-instruction treatise must be to the current version of the cited source unless a party has good cause to cite an older version and explains why it is citing the older version.

9. **Proposed Special Verdict Form.**

No later than **Monday, March 31, 2025**, the parties must exchange proposed special verdict forms. The parties must then meet and confer and make every effort to resolve disagreements over the proposed special verdict form. If the parties reach agreement, the proposed form must be filed by **Monday, April 7, 2025**. If they do not reach agreement, the parties must file their own proposed forms by **Monday, April 7, 2025**. A Word version of the proposed special verdict form must be emailed to Judge Brasel's chambers.

10. **Daily transcripts.**

If any party intends to order daily transcripts of the trial, that party should contact Judge Brasel's court reporter, Renee Rogge (612-664-5107), as soon as possible, so that she can make arrangements for other court reporters to assist her during the trial. Ms. Rogge's email address is

Renee.Rogge@mnd.uscourts.gov.

Dated: March 26, 2025

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge

SUMMARY OF DEADLINES

Disclosure of Expert Witness (per Pretrial Order at ECF No. 318)

- Pursuant to Federal Rules of Criminal Procedure 16(a)(1)(G) and 16(b)(1)(C), the Court adopts the following schedule for expert witness disclosures. No later than 60 days prior to trial, the parties shall make their principal expert disclosures, and, no later than 30 days prior to trial, the parties shall make any rebuttal expert disclosures.

By Monday, March 31, 2025:

- Parties to exchange lists and make exhibits available
- Parties to disclose witness lists
- Parties to exchange proposed jury instructions
- Parties to exchange proposed verdict forms

By Monday, April 7, 2025:

File:

- Trial briefs
- List of exhibits
- Witness lists
- Motions in limine
- Proposed voir dire
- Proposed joint jury instructions
- Proposed special verdict form(s)

Via email to brasel_chambers@mnd.uscourts.gov:

- MS Word versions of joint introduction to the case, proposed voir dire, proposed joint jury instructions, and proposed special verdict form(s).

By Wednesday, April 9, 2025:

- File responses to motions in limine.
- Responses to trial briefs. (not required)

Monday, April 14, 2025: Pretrial conference at 3:00 p.m. in Minneapolis.

Monday, April 21, 2025: Voir Dire and Trial begin at 9:00 a.m. in Minneapolis.